

Remarks

The Notice of Panel Decision mailed August 18, 2010 and the final Office Action mailed May 24, 2010 have been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-4 and 6-38 are now pending in this application. Claim 5 was previously canceled. Claims 1-4, 6-11 and 34-38 are withdrawn. Claims 12-33 stand rejected.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Notice of Panel Decision dated August 18, 2010, for the above-identified patent application from September 18, 2010, through and including October 18, 2010. In accordance with 37 C.F.R. 1.17(a)(1), authorization to charge a deposit account in the amount of \$65.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 12-21, and 23-33 under 35 U.S.C. § 102(e) as being unpatentable over Goldhaber et al. (U.S. Patent No. 5,855,008) is respectfully traversed.

Goldhaber et al. describe a system for distributing advertising over the internet. In this system, a user creates an account using personal contact information which is stored on a database. The user then creates an interest profile that is linked to the personal contact information stored on the same database. Advertisements are then sent to the user based on the user's interest profile. The advertisements allow the user an option to sell their personal information to the advertiser based on the user's approval. Upon a user's approval to sell personal information, the system sends the advertiser the user's personal contact information linked to the interest profile. Notably, Goldhaber does not describe or suggest a method of providing only a single questionnaire to a consumer including questions asking only non-identifying information concerning the consumer. Nor does Goldhaber describe or suggest configuring the received answers as a consumer profile of one or more files stored within one or more consumer profile databases, where all of the stored files and the one or more consumer profile databases include only non-identifying information concerning the consumer.

Claim 12 recites a method for generating a database of personalized anonymous consumer profiles, said method comprising, “providing a questionnaire to a consumer, the questionnaire accessible utilizing a computer communicatively coupled to a server that includes a database for storing the questionnaire, the questionnaire including only questions having a nature such that answers to the questions include only non-identifying information concerning the consumer”, “accepting answers to the questionnaire at the server from the computer, the answers entered via a user interface displayed by the computer, the user interface configured such that only answers containing non-identifying information may be entered into the user interface”, “configuring the received answers as a consumer profile of one or more files stored within one or more consumer profile databases, stored in the server database, all of the stored files and the one or more consumer profile databases including only non-identifying information concerning the consumer”, “providing advertisements to the consumer, via the computer user interface, based on data within the consumer profile database”, “receiving feedback on the advertisements, at the server” and “updating the consumer profile database based on the received feedback”.

Goldhaber et al. do not describe or suggest a method for generating a database of anonymous consumer profiles as recited in Claim 12. More specifically, Goldhaber et al. do not describe or suggest a method for generating a database of personalized anonymous consumer profiles including configuring the received answers as a consumer profile of one or more files stored within one or more consumer profile databases, stored in the server database, all of the stored files and the one or more consumer profile databases including only non-identifying information concerning the consumer.

Goldhaber et al. describe using multiple questionnaires to obtain information, including personal contact information, which is non-anonymous. In addition to describing multiple questionnaires tied to one another, Goldhaber et al. describe at least one of the questionnaires as collecting personal contact information. Figure 7 of Goldhaber et al. show a database configuration where confidential contact information is included. While Goldhaber et al. attempt to maintain anonymity by separating the contact information from the interest profile in the described database, as is illustrated in Figure 7 and described at Column 13, lines 38-39, it is well known that such “data separation” is never absolute and can be compromised. At Column

13, lines 40-60, Goldhaber et al. describe a filtering function which purports to prevent the contact information from being accessed, but it is well known that such systems can be overcome.

Further, at Column 14, lines 9-14, Goldhaber et al. describe that a profile does not include the contact information. Applicant agrees. Goldhaber et al. clearly describe storing the contact information and the profile information separately within the database. However, the Goldhaber et al. disclosure describes that separation of the profile information from the contact information is based solely on how the two are stored within the common database, again, as shown in Figure 7 of the Goldhaber reference.

The presently pending claims address the shortcoming of Goldhaber et al., mentioned in the preceding paragraphs. Specifically, a method is recited where the files that make up the consumer profiles and the database that contains the consumer profiles do not have identifying information anywhere therein. More specifically, a method is recited for generating a database of personalized anonymous consumer profiles where the files that make up the consumer profile and the database where the consumer profiles are stored include only non-identifying information concerning the consumer.

For these reasons Claim 12 is submitted to be patentable over Goldhaber et al.

Claims 13-21, 23, and 24 depend, directly or indirectly, from independent Claim 12. When the recitations of Claims 13-21, 23, and 24 are considered in combination with the recitations of Claim 12, Applicant submits that dependent Claims 13-21, 23, and 24 likewise are patentable over Goldhaber et al.

Claim 25 recites an anonymous consumer profiling system comprising at least one computer, a database and a web server including a user interface. The system is configured to “provide only a questionnaire relating to non-identifying information to a user”, receive answers to the questionnaire from the user, said user interface configured such that only non-identifying information may be entered into said user interface as answers to the questionnaire”, “configure the received answers in one or more computer files as a consumer profile associated with the user within said database, both the one or more computer files and the consumer profile database

including only non-identifying information concerning the consumer”, “provide advertisements to the user based on the consumer profile”, “receive feedback on the advertisements from the user, said user interface configured such that only non-identifying information may be entered into said user interface as feedback on the advertisements” and “update the consumer profile based on the received feedback, said computer configured to maintain an anonymity of the consumer at all times”.

Goldhaber et al. do not describe or suggest an anonymous consumer profiling system as recited in Claim 25. More specifically, Goldhaber et al. do not describe or suggest an anonymous consumer profiling system where the received answers are configured into one or more computer files as a consumer profile associated with the user within a database, where both the one or more computer files and the consumer profile database include only non-identifying information concerning the consumer.

As described above, Goldhaber et al. describe using multiple questionnaires to obtain information, including personal contact information, which is non-anonymous. In addition to describing multiple questionnaires tied to one another, Goldhaber et al. describe at least one of the questionnaires as collecting personal contact information. Figure 7 of Goldhaber et al. shows a database configuration where confidential contact information is included. While Goldhaber et al. attempt to maintain anonymity by separating the contact information from the interest profile within the described database, again as is illustrated in Figure 7 and described at Column 13, lines 38-39, it is well known that such “data separation” is never absolute and can be compromised. At Column 13, lines 40-60, Goldhaber et al. also describe a filtering function which purports to prevent the contact information from being accessed, but it is well known that such systems can be overcome.

Further, at Column 14, lines 9-14, Goldhaber et al. describe that a profile does not include the contact information. Applicant agrees. Goldhaber et al. clearly describe storing the contact information and the profile information separately within the database. However, the Goldhaber et al. disclosure describes only a separation of the profile information from the contact information that is based solely on how the files associated with the two are stored within the common database, again, as shown in Figure 7 of the Goldhaber reference.

The presently pending claims address the shortcoming of Goldhaber et al., mentioned in the preceding paragraphs, by reciting an anonymous consumer profiling system where the files that make up consumer profiles and the database that contains the consumer profiles do not have any identifying information therein. Specifically, the claimed system configures the received answers into one or more files that form a consumer profile associated with the user within the database, and both the consumer profile and the database include only non-identifying information concerning the consumer.

For these reasons Claim 25 is submitted to be patentable over Goldhaber et al.

Claims 26-33 depend, directly or indirectly, from independent Claim 25. When the recitations of Claims 26-33 are considered in combination with the recitations of Claim 25, Applicant submits that dependent Claims 26-33 likewise are patentable over Goldhaber et al.

For the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 12-21, and 23-33 be withdrawn.

The rejection of Claim 22 under 35 U.S.C. § 102(e) as being unpatentable over Goldhaber et al. in view of Kepecs (U.S. Patent No. 6,009,411) is respectfully traversed.

Goldhaber et al. is described above.

Kepecs describes a method and system for distributing and redeeming electronic promotions for a consumer. An account is maintained for each consumer and a key is associated with each account. Access to the account is made available upon presentation of the key over a network. Upon gaining account access, a consumer is given discount choices for items from which to purchase. Upon purchase of items by the consumer, data is received, selections are tracked and purchases are reconciled to record a credit in the consumer account.

Claim 22 depends directly from Claim 12, which is recited above.

Neither Goldhaber et al., nor Kepecs, describe or suggest a method for generating a database of personalized anonymous consumer profiles as recited in Claim 12. More specifically, Goldhaber et al. do not describe or suggest a method for generating a database of

personalized anonymous consumer profiles including configuring the received answers as a consumer profile within a consumer profile database where both the consumer profile and the consumer profile database including only non-identifying information concerning the consumer.

he presently pending claims address the shortcoming of Goldhaber et al., mentioned in the preceding paragraphs, by reciting a method that the consumer profiles and the database that contains the consumer profiles do not have identifying information, specifically, a method for generating a database of personalized anonymous consumer profiles where the consumer profile and the database where the profiles are stored include only non-identifying information concerning the consumer. Kepecs describes redeeming electronic promotions by accessing a consumer account with a key that is associated with that account and does not make up for the deficiencies of Kepecs in regard to Claim 12.

For these reasons Claim 12 is submitted to be patentable over Goldhaber et al. in view of Kepecs.

Claim 22 depends directly from independent Claim 12. When the recitations of Claim 22 are considered in combination with the recitations of Claim 12, Applicant submits that dependent Claim 22 likewise is patentable over Goldhaber et al. in view of Kepecs.

For the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 22 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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